

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes February 4, 2010

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on February 4, 2010.

MEMBERS PRESENT

Edward Mercer, Chairman
Roger McDonald, Police Officer
Craig Newbern, Attorney General's Counsel
John L. Logdon, Private Investigator
Mary Pedersen, Citizen at Large
Daniel Triplett, Private Investigator
Kathryn Witt, Sheriff

OCCUPATIONS & PROFESSIONS STAFF

Frances Short, Executive Director
David Garr, Deputy Executive Director
Adriana Lang, Board Administrator

OTHERS PRESENT

Angela Evans, Board Counsel

CALL TO ORDER

The Chairman, Mr. Mercer, called the meeting to order at 1:05 p.m.

Mr. Mercer thanked the Board for nominating and electing him as the new Chairman. He also thanked Mr. McDonald for his service as a Chairman of the Board. Mr. Logdon made a motion to send Mr. McDonald a plaque. The motion, seconded by Mr. Triplett, carried.

APPROVAL OF MINUTES

The minutes of January 19, 2010 regular meeting was called to the attention of the members. A motion was made by Mr. Newbern to approve the minutes as presented. The motion, seconded by Mr. McDonald, carried.

FINANCIAL STATEMENTS

The Board reviewed the Financial Statement indicating the balance \$106,165.06 from July 1, 2009 to January 31, 2010. A motion was made by Ms. Pedersen to accept the Financial Statement. The motion, seconded by Mr. McDonald, carried.

LICENSURE STATUS REPORT

The Board reviewed the licensure status report as of February 4, 2010

DIRECTOR'S REPORT

Ms. Short informed the Board that the ID card printer is on the approval list. She also stated that she will notify the Board when the approval is final.

ANGELA EVANS/ LEGAL MATTERS

Ms. Evans provided the following report:

- 1) Terri Russell case is ongoing.
- 2) Carla Engle- Sent letter waiting for response, the case is ongoing.
- 3) Katina Acuff- Letter will go out today, case is ongoing.

Ms. Evans thanked the Board for sending her to the Federated Association of Regulatory Boards (FARB) conference. She also provided a report from the conference.

COMPLAINT COMMITTEE REPORT

The Complaint Committee met at 11:00 a.m. Ms. Pedersen provided the following report and recommendations:

09-002- Licensee signed a cease and desist order. Move forward with an injunction and hire an investigator from the Office of Inspector General (OIG) to investigate the case. Mr. Triplett asked staff members to notify the OIG office and requested for the investigator to contact him for instructions on the investigation.

09-003- Mr. Logdon made a motion to close the complaint. The motion, seconded by Ms. Pedersen, carried. This case closed.

09-004- Cease and desist letter has been sent, waiting for response. This case is ongoing.

Mr. Logdon expressed concerns about not having investigators working on behalf of the Board to police activities by unlicensed private and fire investigators. Mr. Logdon suggested to the Board to hire investigators to monitor unlicensed individuals. Ms. Evans expressed concerns regarding Mr. Logdon's suggestion, and further explained the appropriate procedures on how to hire and use investigators to investigate Board's business. Ms. Short explained that the Office of Inspector General (OIG) is the agency that handles any type of investigations on behalf of the Boards under the Office of Occupations and Professions. Ms. Short also clarified the state guidelines for assigning the OIG office for specific investigations related to Boards. The Board further discussed the fire investigation process. Ms. Evans suggested that any professional associations that wishes to send recommendations, should send their requests in writing to the Board office so staff members could place it on the Board's agenda for a review.

OLD BUSINESS

The Board discussed the pending Laws and Regulations update. Mr. Triplett informed the Board that he contacted Senators Julie Denton and David Boswell regarding the bill and was instructed to contact Senator Gary Tapp and attorneys to make them aware of the bill. He further clarified that attorney and law firms will not be affected by this bill. Mr. Garr offered to contact Representative Jeffrey Hoover on behalf of the Board. Mr. Mercer also offered to make contacts on behalf of the Board. Mr. Mercer, Mr. Triplett and Mr. Garr stated that they will bring a report to the next scheduled meeting.

Mr. Mercer asked staff members if the plaque for Jim Ringo came in. Mr. Short responded that the plaque came in and it was mailed to Mr. Ringo on the Board's behalf.

Mr. Logdon informed the Board that he met with the International Association of Arson Investigators, Inc. (IAAI) and they asked him to ask the Board to hold on to any decision on signing the license recognition agreement with the state of Tennessee. The Board agreed that no decision is made at this time.

NEW BUSINESS

The Board agreed to reschedule the March meeting to March 16, 2010 at 1:00 p.m. The meeting will be held at the Office of Occupations and Professions.

APPLICATION REVIEW COMMITTEE

The Applications Review Committee met at 11:00 am.

Mr. McDonald made a motion to approve the applications with provisions as follows. The motion, seconded by Ms. Pedersen, carried.

INDIVIDUALS APPROVED WITH PROVISIONS: *Zachary Clevenger and Keith Smith.*

Mr. McDonald made a motion to defer the application as follows. The motion, seconded by Ms. Pedersen, carried.

INDIVIDUAL DEFERRED: *Heather Jiles.*

TRAVEL AND PER DIEM

A motion was made by Ms. Witt to approve payment of travel expenses and per diem compensation for eligible members in

attendance at today's meeting. The motion, seconded by Mr. Newbern, carried.

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ADJOURNMENT

The Chairman, Mr. Mercer informed the Board that the next meeting is scheduled for Thursday, March 16, 2010, at 1:00 p.m., the Application Review Committee Meeting at 11:00 a.m. Having no further business to be brought before the Board, a motion was made by Ms. Pedersen to adjourn. Motion seconded by Mr. Triplett, carried. The meeting adjourned at 2:45 p.m.

APPROVED